

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DONALD L. SKEENS, JR.,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 3:14-cv-05754 JRC

ORDER ON UNOPPOSED MOTION  
FOR EQUAL ACCESS TO JUSTICE  
ACT FEES AND EXPENSES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).

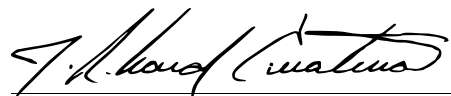
This matter is before the Court on plaintiff's Motion for Equal Access to Justice Act Fees and Expenses (*see* Dkt. 24). Defendant has no objections (*see* Dkt. 25).

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion (*see* Dkt. 24), the attorney Declaration and time and expense itemizations (Dkt. 24, Attachments 2, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$5,523.75

1 and expenses in the amount of \$28.39, shall be awarded to plaintiff pursuant to the EAJA and  
2 consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at \*\*\*6-\*\*\*7  
3 (2010).

4 The Acting Commissioner agrees to contact the Department of Treasury after the Order  
5 for EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to  
6 any offset. If it is determined that plaintiff's EAJA fees and expenses are not subject to any  
7 offset allowed pursuant to the Department of the Treasury's Offset Program, then the EAJA fees  
8 and expenses shall be paid directly to Eitan Kassel Yanich, Esq., either by direct deposit or by  
9 check payable to him, based on plaintiff's assignment of these amounts to plaintiff's attorney  
10 (*see* Plaintiff's Declaration Regarding Net Worth and Payment of EAJA Fees, Dkt. 23). If there  
11 is an offset, the remainder shall be made payable to plaintiff, based on the practice of the  
12 Department of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA  
13 fees and expenses shall be mailed to plaintiff's counsel, Eitan Kassel Yanich, Esq., at Law Office  
14 of Eitan Kassel Yanich, PLLC, 203 Fourth Avenue E., Suite 321, Olympia, WA 98501.

15 Dated this 5th day of November, 2015.

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18 J. Richard Creatura  
19 United States Magistrate Judge  
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